

**Minutes
Of
The Foxboro Water and Sewer Commissioners
October 10, 2012**

Members in Attendance: Chairman Bill Euerle, Vice Chairman Mike Stanton, Advisory Committee members

The meeting was opened at 7:00 PM in the Town Hall, Gala Room.

This was posted as a meeting only to satisfy the requirements of the Open Meeting Laws.

This meeting was by invitation of the Advisory Committee to discuss potential articles and their background at the upcoming special Town Meeting. No discussions were held between BWSC members, and no decisions were reached.

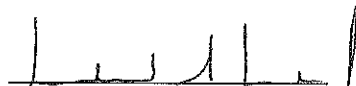
A handout used as an outline of discussion is attached.

The meeting was adjourned at 8:50 p.m.

Respectfully Submitted,

William Euerle

These minutes of October 10, 2012 were approved as amended on November 19, 2012.


Richard Pacella, Clerk

Sewer Plans – Overview

History, Background

- Foxboro is currently a customer of Mansfield, with sewage flowing to and treated at Mansfield's treatment plant in Norton with treated effluent discharged into river. Official agreement between Foxboro and Mansfield expired in 2005 (approx) but operations continue with no problems or adjustments.
- What's sewer in Foxboro – most of the center of town and some surrounding areas, Greenview, Sears Estates, Foxboro HS, Ahern School, Cannon Forge (private) Foxboro Industrial Park (private), Foxboro Company Neponset Street and Mechanic Street (private) etc. Public unless noted.
- Public flow treatment capacity purchased by Town approx 1985 and "capacity" refers to annual measured flow. Private flow purchased roughly same time period, but capacity purchased is annual Title 5 flow. Rule of thumb – measured flow is approximately 60% of Title 5 flow.
- Foxboro's public flow capacity (for treatment) has been used up since approx 2001, when a moratorium on new connections was imposed. Only additions have been emergency connections, and only with Mansfield's permission.
- Mansfield now close to imposing a moratorium – wants more capacity for infill and for business expansion.
- Norton's situation analogous to Foxboro's situation.
- Massachusetts requires a municipality to complete a Comprehensive Wastewater Management Plan (CWMP) prior to any sewer expansion – Foxboro's completed and approved approx 2005. Allowing only for expansion in areas where Title 5 systems are economically or physically impractical, Foxboro's additional capacity need is about 350K gal/day – excluding Route 1 area. All other areas to remain on septic systems and all undeveloped areas to be on septic systems. In other words, this is basically capacity needed for remedial issues, and not for encouraging development. There were 3 basic options for sewer capacity in order of increasing cost – 1), build some as part of Patriot Place, 2), build a plant near the town garage on Elm Street, and 3), add additional capacity to Mansfield's existing plant in Norton, but bring the treated effluent back to Foxboro for subsurface disposal. (State no longer permits additional discharges into surface waters – subsurface disposal is required.)
- As part of Patriot Place, negotiations provided for KO to build a 350K gal/day treatment plant at their cost for Foxboro, turn it over to Foxboro's ownership, and Foxboro would own and run the plant. To take advantage of this Foxboro would (within 5 years) commit to building sewerage infrastructure and provide sewage flow to the new plant. Those famous signs were part of this agreement. This, of course did not happen. Residents turned down sewer extensions into their neighborhoods at 2 different town meetings, primarily because of high costs, but there were other reasons that residents were concerned as well – mandatory connection requirements for anyone adjacent to sewers, and threat of opening development for undeveloped areas should sewers be available.
- IMA - Foxboro has been participating for approx 5 years with Mansfield and Norton to replace the existing (now expired) customer agreements under which we jointly operate. You've seen or have available the draft of the proposed agreement establishing a regional sewer authority.
- Two major things have changed since this started:

- Massachusetts has waived the requirement that treated effluent be returned to Foxboro for subsurface disposal. (Approx \$9M savings, making Mansfield expansion the least expensive option.)
- Foxboro sought and received legislation waiving the state requirement that properties adjacent to sewers have a requirement to connect to those sewers, and granting town meeting the responsibility of amending the sewer district in Foxboro. (Allows high flexibility in setting sewer districts). Addresses (does not eliminate) residents concerns about their level of control in sewer expansion proposals.

What's proposed now

- BWSC proposes that the Town of Foxboro (as opposed to the Sewer rate payers) purchase 250K gal/day of capacity as part of the expansion of the current Mansfield treatment plant. This purchase would allow Foxboro to join the new authority – basically per the draft IMA that you have. Since the new regional authority would actually issue the construction bonds, it's still not clear how to bring this issue to Foxboro TM. It will, however, result in several articles to authorize the expenditure and to fund it, and possibly to sell off part of the purchased capacity.
- BWSC will propose an article to establish an official sewer district within Foxboro. Any residence or business currently connected to the existing sewer would be part of the district to be established, providing a base district from which expansions can be authorized in the future.
- No part of what BWSC will be proposing authorizes any sewer expansion into residential areas, or contains any money that would even anticipate any studies of that path. These articles are only to get us out of the current sewer connection moratorium, allow us to join the Foxboro/Mansfield/Norton sewer district, and allow for future growth in commercial development and residential areas as agreed to by Town Meeting.

Prepared for discussion with Advisory Committee, October 10, 2012
 Bill Euerle